COMBINED DECLARATION AND POWER OF ATTORNEY FOR PLANT PATENT APPLICATION (35 U.S.C. § 161)

| As a below-named inventor, I hereby de | clare that: | | |
|---|---|---|--|
| My residence, post office address and o | itizenship are as stated bel | ow next to my name; | |
| I believe I am the original and first inven | itor of the new and distinct v | variety of: | |
| SHRUB ROSE | | | |
| plant named: | | | |
| 'BAIEAM' | | | |
| which is claimed and for which a plant p | patent is sought, the specific | cation of which (check | only one item below): |
| ☑ is attached hereto | o, and was amended on ed States Application Numb | per(| (if applicable). |
| I hereby state that I have reviewed and the claim, as amended by any amendment | understand the contents of ent referred to above; | the above-identified sp | pecification, including |
| I have asexually reproduced the plant to | which this application appl | ies. | |
| Said plant was found in a cultiva | ated area (check this box fc | or newly found plant onl | (y) |
| I acknowledge the duty to disclose info including for continuation-in-part applicati of the prior application and the National | ions, material information wh | hich became available b | etween the filing date |
| I hereby claim foreign priority benefits user patent, inventor's or plant breeder's redesignated at least one country other the below, by checking the box, any foreign or any PCT international application having | rights certificate(s), or 365(a han the United States of Ar n application for patent, inve ng a filing date before that of | a) of any PCT internatio merica listed below and entor's or plant breeder's f the application on whice | onal application which d have also identified is rights certificate(s), ch priority is claimed. |
| PRIOR FOREIGN/PCT APPLICATION(S) | AND ANY PRIORITY CLAIMS UNI | | or (f), or 365(a)-(b): PRIORITY CLAIMED |
| COUNTRY (if PCT, Indicate "PCT") | APPLICATION NUMBER | DATE OF FILING (MM/DD/YYYY) | UNDER 35 U.S.C. §§119 OR 365 |
| none | | | YES_ NO_ |
| | | | YES_ NO_ |
| | | | YES_ NO_ |
| | | | YES_ NO |
| an er til to e e e e e e e | 1 | 1 | YES_ NO_ |

YES_ NO_

YES_ NO_

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

| Robert S. Swecker Platon N. Mandros Benton S. Duffett, Jr. Norman H. Stepno Ronald L. Grudziecki Alan E. Kopecki Regis E. Slutter Samuel C. Miller, III Robert G. Mukai George A. Hovanec, Jr. James A. LaBarre E. Joseph Gess R. Danny Huntington Eric H. Weisblatt James W. Peterson Teresa Stanek Rea | 19,885 22,124 22,030 22,716 24,970 25,813 26,999 27,360 28,531 28,632 28,632 28,510 27,903 30,505 26,057 30,427 | William C. Rowland T. Gene Dillahunty Patrick C. Keane B. Jefferson Boggs, Jr. William H. Benz Peter K. Skiff Richard J. McGrath Matthew L. Schneider Michael G. Savage Charles F. Wieland III Bruce T. Wieder Todd R. Walters Ronni S. Jillions Harold R. Brown III Allen R. Baum Brian P. O'Shaughnessy | 30,888 25,423 32,858 32,344 25,952 31,917 29,195 32,814 32,596 33,096 33,815 34,040 31,979 36,341 36,086 32,747 | Kenneth B. Leffler Fred W. Hathaway Wendi L. Weinstein Mary Ann Dillahunty Donna M. Meuth Nhat D. Phan Claude A.S. Hamrick All practitioners associa Customer No. 2 1 8 | |
|--|--|---|--|--|--|
|--|--|---|--|--|--|

and: none

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| Full Name of Sole or First Inventor | PETER P. JUA | | |
|-------------------------------------|---|--|--|
| Signature | Mila | | |
| Date | January 29, 2004 | | |
| Residence (City, State, Country) | Yamhill, Oregon | | |
| Citizenship | U.S.A. | | |
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